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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/619,220	07/19/2000	Sharon R. Garber	54420US4D017	1621

7590

03/27/2002

Peter L Olson
Office Of Intellectual Property Counsel
3M Innovative Properties Company
P O Box 33427
St Paul, MN 55133-3427

EXAMINER

MULLEN, THOMAS J

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 03/27/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.
09/619,220

Applicant(s)
Garber et al

Examiner
Thomas J. Mullen, Jr.

Art Unit
2632



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/13/01
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 26-35 and 63-88 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-31, 33-35, 63, and 72-83 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 32, 64-71, and 84-88 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 25-26
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

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1. The Request for Continued Examination (RCE) filed 12/13/01 has been accepted and an action on the RCE follows.

2. Claims 32, 64-71 and 84-88 are objected to under 37 CFR 1.75(b) as being “unduly multiplied”, i.e. the newly added claims (69-88) include several that are of exactly the same scope as other claims previously presented and currently pending (26-35 and 63-68). Note that many of the previously presented and newly added claims are multiple dependent claims, as a result of which there are many pairs of identical claims, as follows:

independent claim 69 is of the same scope as claim 32 (dependent on claim 26);

independent claim 70 is of the same scope as multiple dependent claim 64 (where claim 64 depends on claim 33, which is dependent on claim 26);

independent claim 71 is of the same scope as multiple dependent claim 64 (where claim 64 depends on claim 26);

claim 84 is of the same scope as multiple dependent claim 64 (where claim 64 depends on claim 32, which is dependent on claim 26);

claim 85 is of the same scope as multiple dependent claim 65 (where claim 65 depends on claim 32, which is dependent on claim 26);

claim 86 is of the same scope as multiple dependent claim 66 (where claim 66 depends on claim 32, which is dependent on claim 26);

claim 87 is of the same scope as multiple dependent claim 67 (where claim 67 depends on claim 32, which is dependent on claim 26); and

claim 88 is of the same scope as multiple dependent claim 68 (where claim 68 depends on claim 32, which is dependent on claim 26).

3. Claims 26-35 and 63-88 are allowed, and/or would be allowable if rewritten or amended to overcome the objection(s) under 37 CFR 1.75(b) set forth in this Office action.

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The art of record fails to teach "reading information from multiple RFID tags substantially simultaneously", in a hand-held RFID device comprising as an integrated unit, a computer, an antenna, an RFID reader and a display.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The art cited by applicant in the information disclosure statements (IDSs) filed 12/13/01 and 2/22/02 has been fully considered and is made of record.

5. This application is in condition for allowance except for the following formal matters: see paragraph 2 above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Mullen whose telephone number is (703) 305-4382. The examiner can normally be reached on Mon-Thur from 6:30AM to 4:00PM. The examiner can also be reached on alternate Fridays (6:30-3:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on (703) 305-4717.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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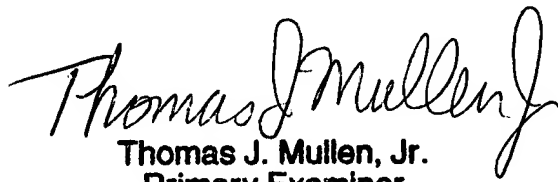
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or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

T. Mullen
March 26, 2002


Thomas J. Mullen, Jr.
Primary Examiner
Art Unit 2632